

DeSoto, Inc.

ADMINISTRATIVE AND REGIONAL COUNSEL

1700 SOUTH MOUNT PROSPECT ROAD, BOX 5030, DES PLAINES, ILLINOIS 60017 TELEPHONE 312—391-9000

LAW DEPARTMENT

December 13, 1988

Edward J. Kowalski,
Assistant Regional Counsel
U. S. Environmental Protection Agency
Region V
230 S. Dearborn Street
Chicago, Illinois 60604

Re: Ninth Avenue Dump, Gary, IN
Section 106 Administrative Order

Dear Mr. Kowalski:

This is in reference to the Administrative Order served on DeSoto pursuant to Section 106 of the CERCLA in connection with the Ninth Avenue Dump site in Gary, Indiana. That Administrative Order was dated December 7, 1988, sent under cover of a December 7, 1988 letter and made effective December 30, 1988. However, the postmark on the envelope in which it was received reflects that it was not mailed by your Agency until December 9, 1988 and it was not received by DeSoto until yesterday, December 12, 1988.

It is my understanding from Pamela Nehring that she has already contacted you and requested a Conference as provided for in Article XIX of the Administrative Order on behalf of all parties participating in the Ninth Avenue Dump site Steering Committee, of which DeSoto is a member. Pamela further informs me that you have agreed to treat her telephone request as an effective request for such a conference on behalf of the entire group.

We hereby confirm DeSoto's desire and request for such a conference, preferably through participation in the group effort. However, in the event the group request for such a conference has not been effectively made or in the event it is for some reason cancelled, DeSoto hereby requests an individual conference pursuant to Article XIX of the Administrative Order. I reiterate, that this request for an individual conference need not be acted upon by your Agency if a group conference with the Ninth Avenue Dump site Steering Committee is effectively requested, scheduled and held on a timely basis.

US EPA RECORDS CENTER REGION 5



414727



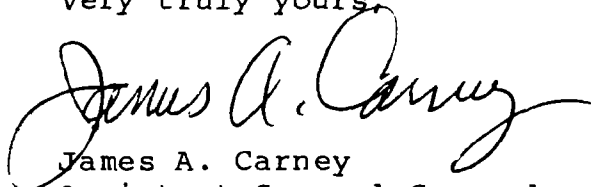


DeSoto, Inc.

Edward J. Kowalski
December 13, 1988
Page two

If you have any questions concerning this matter, please
give me a call. My direct telephone number is (312) 391-9603.

Very truly yours,



James A. Carney
Assistant General Counsel

JAC/jc